



Three-Part Telephone & E-mail Seminar:

## Forever Waiting: Optimizing The Adjustment

*Speakers: Christina LaBrie, Jill Bloom, Tammy Fox-Isicoff, Romulo Guevara, Susan Wehrer and Other Speakers To Be Announced*

**Available on CD**

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### What is ILW.COM?

We are the leading immigration law publisher. Our free *Immigration Daily* reaches an audience of over 25,000 subscribers. Our immigration portal web site is the largest on the Internet with over 50,000 pages of information. We assist your practice via our periodicals, seminars, and Yellow Pages. *Disclaimer: participation in this seminar does not create an attorney-client relationship with the speakers.*

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### Seminar Outline

#### FIRST Phone Session on April 24th: AOS Portability, 245(k) and EAD/AP Renewals

- When it is OK to port?
- Serial porters
- What if an employee ported before the adjustment application was pending for 180 days?
- Does an employee need to rely on portability for a job change or promotion?
- 245(k) and the long-pending adjustment of status application
- EAD/AP Renewals: Fees and the 120-day filing rule
- Dual representation issues - employer's responsibility to support adjustment of status application, EAD v. nonimmigrant status

#### SECOND Phone Session on May 29th: Travel and Maintenance of Nonimmigrant Status

- Is it necessary/advisable/possible to maintain nonimmigrant status?
- What affect will travel have on the AOS application?
- H and L nonimmigrants and the dual intent travel memo
- Extending status of those traveling on AP
- Dependents - do they need to be in the same status as the principal?
- Is it possible to get back into nonimmigrant status after allowing that status to lapse?
- Post-sixth-year H-1B extensions with a new employer

#### THIRD Phone Session on June 26th: Dealing with Dependents and Understanding the Unpredictable Visa Bulletin

- Can dependents work on EADs while the principal maintains nonimmigrant status?
- Must all family members use AP and/or nonimmigrant visas?
- How does visa retrogression affect eligibility under the CSPA?
- Visa bulletin prospects for the future
- Filing I-140s in multiple EB categories
- Keeping an eye on cross-chargeability

#### A SPECIAL NOTE FROM THE DISCUSSION LEADER:

Long-Time Adjustment Applicants In the summer of 2007, USCIS received more than 300,000 applications for adjustment of status. The surge in employment-based filings resulted from an unprecedented opening of all employment-based visa categories by the U.S. Department of State. Given that employment-based immigrant visas are limited to 140,000 per fiscal year and considering the limits on specific categories and the per-country limits, it is likely that tens of thousands of the adjustment of status applications will remain pending for years and years to come.

Immigration practitioners are not strangers to long processing times for adjustment of status applications. The current situation presents a twist on the old processing delay story, however, because the visa bulletin dictates that a large number of these applications will remain pending, with no hope of adjudication, for years.

This presents immigration practitioners with a new conundrum: how to maintain the adjustment of status application over a period of years in which job and life changes are inevitable? Long-pending adjustment of status applications add an additional layer to normal employment-based immigration case analysis. Failure to consider the applications in devising case strategies could have dire consequences. This seminar series will address the impact of long-pending adjustment applications and provide helpful tips and suggestions for managing difficult issues.

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### Signup

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### DATES

[ ] CD APR 24                      [ ] CD MAY 29                      [ ] CD JUNE 26

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### About the Speakers

**Christina LaBrie** (Discussion Leader) as an Associate in the Legal Practice Group at Fragomen, Del Rey, Bernsen & Loewy, LLP. Prior to joining Fragomen, Christina practiced immigration law with several law firms in New York. Her experience covers the universe of immigration practice, from asylum and deportation cases to complex business immigration matters. Christina received a B.A. in Political Science with high honors from the University of California at Santa Barbara in 1996. In 2000, she obtained her J.D. degree from NYU School of Law. Christina has served as Secretary of the New York City Bar Association's Immigration Committee and is a member of the American Immigration Lawyers Association (AILA). She has published numerous articles with various immigration-related publications and organizations.

**Kevin Aiston** is of counsel to the Chicago office of Fragomen, Del Rey, Bernsen & Loewy, LLP. Mr. Aiston joined the firm in 2003 after 15 years of service with the U.S. Department of State, working primarily in the Visa Office. His domestic assignments included positions as Deputy Chief of the Legal Advisory Opinions Division of the Visa Office, Special Assistant to the Deputy Assistant Secretary of State for Visa Services, and Deputy Chief of the Visa Office's Post Liaison Division. Mr. Aiston also served as a consular officer at the U.S. Embassies in Paris, France, and Victoria, Seychelles. Mr. Aiston graduated summa cum laude from Tulane Law School, where he served as Managing Editor of the Tulane Law Review. He is admitted to the bar in Illinois and has been a frequent speaker at immigration conferences.

**Jill Bloom** has practiced immigration law since 1999. She was an associate with Littler Global prior to joining Fragomen in 2008. Jill has extensive experience in all business immigration matters and a wide variety of family based immigration matters. While at Wayne State University she earned 2nd Place Oralist in the Moot Court Competition. She is founding member of the Metro Detroit Hadassah Attorney's Council (HACOL) and Past Fundraising Vice-President and past Community Outreach Vice President of HACOL Professional Profiles. She was admitted to the Michigan Bar in 1999 and is a member of the American Bar Association, American Immigration Lawyer's Association (AILA), the Michigan State Bar Association, the Oakland County Bar Association, and the Maricopa County Bar Association. She earned a Bachelor of Arts degree with a concentration in Spanish and a minor in Linguistics from the University of Michigan in Ann Arbor, Michigan in 1996 and a J.D. from Wayne State University in Detroit, Michigan in 1999.

**Tammy Fox-Isicoff** is a graduate cum laude of the University of Miami School of Law. She joined the U.S. Department of Justice in 1983 as a trial attorney with INS and went on to serve as Special Assistant U.S. Attorney for Immigration in the Southern District of Florida. She entered private practice in 1988, focusing on immigration. She has earned an "AV" rating from Martindale-Hubbell and is certified by the Florida Bar as a Specialist in Immigration and Nationality Law. Ms. Fox-Isicoff is a past president of the South Florida chapter of AILA and currently serves on the national Board of Governors of AILA. She has chaired numerous committees at the AILA national level including the Media, Congressional and Bar Association Committees. Ms. Fox-Isicoff is the recipient of several presidential awards from AILA for her advocacy of immigrants. She has also been selected to represent AILA to the American Bar Association's Immigration Coordinating Committee and is a member of the Florida Bar's Certification Committee in Immigration and Nationality Law. She has served as a legal expert on immigration law for various news sources and has appeared on "NBC Today" and "The CBS Morning Show" on a number of occasions. Ms. Fox-Isicoff has published numerous articles on immigration topics and is a frequent local and national lecturer. Listed in the Best Lawyers in America and in South Florida Legal Guide as one of the top lawyers in South Florida, Ms. Fox-Isicoff is widely recognized as a national expert on all areas of immigration.

**Romulo Guevara** an associate in Phoenix for Fragomen, Del Rey, Bernsen & Loewy, LLP, represents large global corporate clients in all areas of U.S. business immigration law. He regularly counsels clients regarding temporary work visas and permanent residence sponsorship for its foreign national employees. He also analyses immigration consequences of mergers and acquisitions. Prior to joining Fragomen in 2008, Romulo was an associate with Littler Global. Previously, he practiced immigration law in New York City since 1997. Romulo is originally from El Salvador.

**Donna Scarlattelli** is an attorney admitted to practice immigration law anywhere in the U.S. and licensed by the Florida Bar Association of the State of Florida. She earned her Juris Doctor law degree cum laude from the University of Miami School of Law in 1999 and holds a Master's degree in International Administration from the School for International Training in Vermont as well as Bachelor of Arts degree with high honors from Marlboro College in Vermont. Ms. Scarlattelli began her career in the immigration field with the U.S. Refugee Program in Singapore and Indonesia. She has been involved in immigration services since 1979 and has successfully helped thousands of people from all over the world come to live and work in the United States. She is the co-founder and publisher of IM, The Immigration Magazine, founder of Florida Gulf Coast Immigration Magazine, and has authored numerous articles in Going USA. Ms. Scarlattelli is a frequent lecturer and guest speaker at sponsored events, trade shows, college seminars and professional association meetings. She is a member in good standing of the Florida Bar Association; the American Immigration Lawyers Association (AILA), NAFSA: The Association of International Educators; the Sarasota Association of Realtors; and is an executive member of the Board of Directors of the U.S. Committee for Refugees and Immigrants (USCRI).

**Susan K. Wehrer** has practiced immigration law with Paparelli & Partners LLP since 1999. She concentrates on business immigration matters including labor certification issues, the immigration implications of mergers and acquisitions, and immigration issues facing start-up companies. She also works frequently with universities and athletes/artists. Ms. Wehrer received a B.A. in Economics from the University of California, Irvine in 1986. She obtained her J.D. degree from Loyola Law School in 1995. Prior to joining the firm, Ms. Wehrer practiced labor and employment law, held an editorial position with The Labor Letters, Inc., and served as Adjunct Professor of Labor Relations at Woodbury University.